

Judge Eric R. Kovitch
U.S.D.J.
EDNY
225 Cadman Plaza East
Brooklyn, NY 11201

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 21 2023 ★

BROOKLYN OFFICE
March 9, 2023

RE: Schulte v. Warden, MDC 22-CV-766-EK

Dear Judge Kovitch:

RECEIVED IN PRO SE SECTION

MAR 21 2023

I write the Court with respect to my 1-year-old 28 U.S.C. § 2241 petition, and to inform the Court of despicable new developments by the MDC Warden. First and foremost, I understand that the Court likely has much on its plate, but with all due respect I fail to understand how it takes over a year to determine whether starvation, sleep deprivation, exposure to the extreme cold, constant blasting of loud noise 24/7, and other deprivations are morally repugnant and unquestionably unconstitutional. I am in an American concentration camp tortured by the federal government, and You are my only hope to defend the Constitution and my rights. I beg the Court to spend some time on this case and issue a fair and just opinion consistent with the Constitution as soon as possible.

I also wanted to update the Court about the unconscionable actions of Warden Maat. As the Court knows, one of the more minor but still important issues is the commissary restrictions. I recently had yet another conversation with the Warden about making us whole and providing more equitable commissary. In retaliation against me the Warden restricted our commissary to practically nothing; the MDC uses commissary restriction as a form of punishment when inmates misbehave, and now all SAMs inmates are restricted to the punishment commissary — consisting of only bare essentials like stamps, envelopes, soap, and ^{banned tea} shampoo. We are now banned from buying hot cocoa, herbal tea, Lipton tea, honey, PEANUT BUTTER, cheese, oatmeal, TOOTHPASTE.

Crackers, cough syrup, artificial tears, SHAMPOO, VITAMINS,
and any and all sweets (Snickers, dark chocolate bars etc.).

Judge Komitee, this may not sound like a big deal but when you are in solitary confinement 24 hours a day 7 days a week, the occasional snickers or cup of tea can be relaxing. And due to the starvation, I subsist primarily on peanut butter sandwiches. Without peanut butter, I will not have anything to eat. But MOST IMPORTANTLY Judge, this has violated Due Process — every other inmate at MDC can buy hundreds of items at commissary. EVERY OTHER INMATE. Except those punished (temporarily) due to infractions and the SAMs inmates. There is literally no reason to deprive us of commissary — but for the wardens of MDC to do this out of spite and retaliation for my request for equal commissary is unconscionable.

It truly is shameful that the MDC does not respond to administrative remedies and that the warden is such an evil man to make life as difficult as possible for people already suffering to the maximum. ~~report~~ These issues truly should never rise to the federal courts and waste your time, but the BOP and this despicable warden have chosen to single out inmates and ~~to~~ increase the torture ~~in~~ in clear violation of due process Clause of the Fifth Amendment. Won't you please help me and defend the Constitution?

P.S. Sentenced inmates held on SAMs at ADX receive more commissary and "amenities" than pretrial SAMs inmates at MDC

3/9/23

Josh Schube
f

# Commissary items to Gen. pop:	250
# Commissary items on initial SAMs:	82
# on punishment/new SAMs:	25

Josh Schulte #74471054

MDC

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